Setting up of separate High Courts for Punjab and Haryana

2752. SHRI S.S. SURJEWALA: Will the PRIME MINISTER be pleased to state:

(a) what is the proportion of the Judges and the staff appointed from Punjab and Haryana separately in the Punjab and Haryana High Court;

(b) whether Government have received complaints from Haryana for being discriminated in the matter of appointments of Judges and the staff in the Punjab and Haryana High Court;

(c) whether Government propose to bifurcate the Punjab and Haryana High Court to set-up a separate High Court for to be located somewhere in the State; and

(d) if so, the action taken in matter till date?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H.R. BHARDWAJ): (a) The share of Punjab and Haryana in the Punjab and Haryana High Court in the matter of appointment of Judges is in the ratio of 2:1. The staff of the High Court is unallocated and there is no quota for recruitment from Punjab and Haryana.

(b) The Government of Haryana has approached, from time to time, the Central Government for changing the existing ratio of appointment of Judges in the High Court from 2:1 to 3:2. This proposal has been examined, several times, on the basis of number of cases being instituted in the High Corut from Punjab and Haryana States. It has been decided that the existing ratio of 2:1 is justified and should continue in the matter of appointment of Judges in the High Court.

(c) and (d): At present, there is no proposal to bifurcate the Punjab and Haryana High Court or to set up a separate High Court for Haryana.

Law Ministers/Law Secretaries Conference to discuss mounting arrears in courts

2753. SHRI SHIV PRATAP MISHRA: Will the PRIME MINISTER be pleased to state:

(a) whether it is a. fact that there was a recent conference of the Law Minsiters and the Law Secretaries to discuss the mounting arrears in all the courts; and

(b) if so, outcome of that conference and what remedial measures suggested in that conference for speedy disposal of the cases?

THE MINISTER OF STATE IN THE MINSITRY OF LAW, JUSTICE AND COMPANY AFFAIRS: (SHRI H.R. BHARDWAJ): (a) Yes, Sir.

(b) A Statement showing the outcome of the meeting and the various measures suggested in the meeting for speedy disposal of cases is attached.

There was general agreement on the following points at the "Meeting of Law Ministers held during 17-18 October, 1992"

(i) Unless the problem of growing accumulation of arrears is dealt with in time, extra-constitutional centres for dispute-resolution by use of criminal force, etc., may * spring into existence and get strengthened. It is in the interests of healthy growth of democracy to strengthen the judicial wing of the State.

(ii) There is a need to take immediate action to upgrade th5 infrastructural facilities for the judiciary as a Plan Scheme.

(iii) Alternative formus for dispute resolution such as 'Lok Adalats' should be established.

(iv) Tribunals may be constituted to deal with litigation involving technical issues on

the lines of ITAT, CEGAT, etc.

(v) There should be training institutions for training of judicial officers.

(vi) Government litigation should be reduced by undertaking timely steps to screen grievances against the Government.

(vii) Courts should be strict in the matter" of admission of public interest litigation which -if often misused.

(viii) The Surpeme Court and the High Courts should exercise greater restraint in the exercise of their "powers and in the discharge of their functions.

(ix) Problems connected with frequent adjournments, strikes, etc., cannot be effectively handled, unless the judges and practicing lawyers are brought together to discuss the matter across the table.

(x) The Malimath Committee recommendations constitute the right framework to proceed further in the matter.

The Law Minister also constituted three open-ended Working Groups to consider different aspects of the recommendations of the Malimath Committee Report in detail.

Non cooperation of Bihar Government in administration of justice

2754. SHRI S.S. AHLUWALIA: Will the PRIME MINISTER be pleased to state:

(a) whether Government are aware that the Chief Justice of the Patna High Court had recently expressed his disappointment with the Bihar Government for not assisting and cooperating with the High Court in the administration of Justice;

(b) if so, what are the details thereof; and

(c) what action Govenrment have taken to ensure that State Governments particularly the State of Bihar and Union Territory Administrations, properly assist and cooperate with Judiciary in the administration of Justice in the State and Union Territory?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H.R. BHARDWAJ): (a) to (c) As per information received from the Registry of Patna High Court, the Chief Justice has expressed his concern from time to time regarding inadequate facilities and infrastructure in respect of judicial administration in the State of Bihar. Recently, the matter was discussed by him with the Chief Minister of Bihar also who has promised to provide the necessary facility and infrastructure for proper administration of jusutice in the State.

Corruption in judiciary

2755. DR. NAUNIHAL SINGH:
SHRI S. S. AHLUWALIA:

Will the PRIME MINISTER be pleased to state:

(a) whether Government's attention has been drawn to views expressed by eminent jurists in- a convention on 25th July, 1992 regarding alarming rise of corruption in the higher echelons of the judiciary and absence of any machinery to ensure its accountability;

(b) if so, what is Government's reaction thereto; and

(c) what steps Government propose to take to restore public confidence in the judiciary?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. BHARDWAJ): (a) to (c) Government's